IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

RSA NO.2126 OF 2007
DATE OF DECISION: 27-07-2007

Surjit Singh

.....APPELLANT

VERSUS

Surinder Kumar

.....RESPONDENT

CORAM:- **HON'BLE MR.JUSTICE RAJESH BINDAL**

PRESENT: Mr.HNS Gill, Advocate
for the appellant.

RAJESH BINDAL, J.

This is defendant's second appeal against concurrent findings of fact by the Courts below where the suit of the respondent-plaintiff for recovery of a sum of Rs.3,50,000/- plus interest was decreed.

Both the Courts below have found as fact that the execution of the pronote and the receipt was duly proved. Signatures of the appellant-defendant were not denied. On appreciation of evidence on record, the suit was decreed against the appellant-defendant.

Learned counsel for the appellant made strenuous efforts, while referring to the evidence on record, to submit that the view expressed by both the Courts below on re-appreciation of the evidence is not

sustainable in law. However, he could not point out as to which material on record has not been considered or mis-read by the learned Courts below while accepting the prayer made by the respondent-plaintiff. No defect was found in the execution of the pronote and the receipt of the money. The natural corollary is, the admission by the Executor of the pronote, the payment of the amount in question.

The findings recorded by the Courts below are plain findings of fact and no questions of law much less a substantial question of law arises in the present appeal.

Dismissed.

(RAJESH BINDAL)
JUDGE

JULY 27, 2007
jt